



United States Attorney  
Southern District of New York

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The Silvio J. Mollo Building  
One Saint Andrew's Plaza  
New York, New York 10007

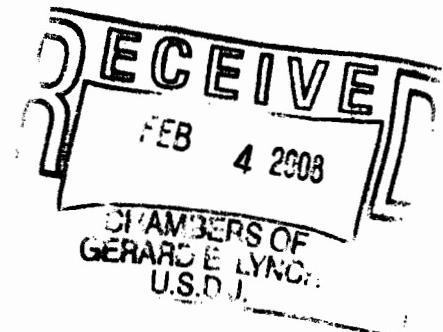
MEMO ENDORSED

February 4, 2008

BY HAND

The Honorable Gerald E. Lynch  
United States District Judge  
Southern District of New York  
Daniel Patrick Moynihan U.S. Courthouse  
500 Pearl Street  
New York, New York 10007

Re: United States v. Michael Malinowski,  
08 Cr. 23 (GEL)



Dear Judge Lynch:

The above-referenced matter has been assigned to Your Honor and the defendant was presented and arraigned before Magistrate Judge Debra Freeman on January 31, 2008. The initial conference have been scheduled for February 15, 2008 at 2:00 p.m.

The Government respectfully requests that the Court exclude time from the date of this letter until February 15, 2008, pursuant to the Speedy Trial Act, Title 18, United States Code, Section 3161(h) (8) (A). The ends of justice served by such continuance outweigh the interest of the public and the defendant in a speedy trial because the continuance will allow the Government time to collect and produce discovery to the defendant and the defense to review that discovery. Defense counsel objects to this request.

\*Daniel. This is an ordinary  
incident of the criminal process,  
not a basis for an exclusion.

SO ORDERED

Gerard E. Lynch U.S.D.J.

2/4/08

cc by fax: Sabrina Shroff, Esq., Attorney for Defendant

Respectfully submitted,

MICHAEL J. GARCIA  
United States Attorney  
Southern District of New York

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